

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Joseph McCray

Plaintiff,

[Insert full name of plaintiff/prisoner]

FILED  
IN CLERK'S OFFICE  
US DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

★ MAY - 4 2016 ★

BROOKLYN OFFICE

CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

JURY DEMAND

**CV 16-2316**

-against-

Detective Teresa Russo  
in her official capacity,  
in the Sheriff Department,  
and her unofficial capacity

KUNTZ, J.  
SCANLON, M.J.

Defendant(s).

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

- i. Parties: (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff JOSEPH McCRAY

If you are incarcerated, provide the name of the facility and address:

OTIS Bantuan Correctional Facility  
1600 Hazen Street  
East Elmhurst, New York 11370

Prisoner ID Number: BK 1411507314

If you are not incarcerated, provide your current address:

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Telephone Number: (716) 436-0510

**B. List all defendants. You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.**

Defendant No. 1

Teresa Russo

Full Name

Detective, Sheriff for the

Job Title

City of New York

30-10 Starr Ave

Address Long Island City, N.Y. 11101

Defendant No. 2

Full Name

Job Title

Address

Defendant No. 3

Full Name

Job Title

Address

Defendant No. 4

Full Name

Job Title

Address

Defendant No. 5

Full Name

Job Title

Address

**II. Statement of Claim:**

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? The Law Firm of  
Kevin Weber 674 East 3rd Street, Brooklyn, NY

When did the events happen? (include approximate time and date) On July 27, 2015  
The Petitioner was at the LAW firm located at  
3rd Street Brooklyn, New York. The

Facts: (what happened?) The Petitioner returned to the Law Office to secure certain money which was in escrow. The Petitioner was under a Real estate Contract to sell the Property at 119 MacDonough Street Brooklyn, N.Y. The Real estate Deal was put together by a person name Nick Henry who claims to be a real estate investor. Nick overheard the Petitioner talking with an attorney from the Corporation Counsel Office who represent New York City Housing Preservation and Development where the Petitioner had secure an abandon City house 25 years ago. The Petitioner rehab the house and recorded a deed by Operations of the Law. The Petitioner is Allegedly Arrested in a sting Operations. Charge with Forgery a Court Order of Judge Lewis. The Judge recently resigned under Allegation of Fraud. The Petitioner was falsely arrested in Violations of the 4th and 14 Amendment of U.S. Constitution Arrested without Probable Cause, no complaint in this case.

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

III. Relief: State what relief you are seeking if you prevail on your complaint.

The Petitioner did not close the deal on the Sale of his house base on the Present False Arrest. The Petitioner Wants to be Compensated in the Amount of 3 Million dollars

I declare under penalty of perjury that on April 17, 2016, I delivered this complaint to prison authorities at D.B.C.C. Riker's <sup>(date)</sup> to be mailed to the United States District Court for the Eastern District of New York.  
(name of prison)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 17, 2016

  
Signature of Plaintiff

ONS Bantam Correction Facility  
Name of Prison Facility or Address if not incarcerated

1600 HAZEN Street  
East Elmhurst New York  
11730

Address

B/c 1411 807314

Prisoner ID#

Accepted for Value  
This Property Is Exempt From Levy  
Please adjust this account for the Proceeds,  
Products, Accounts, and Fixtures, and  
Release the ORDER(S) of the Court  
To Me Immediately

INDICTMENT  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

8J

THE PEOPLE OF THE STATE OF NEW YORK

- AGAINST -

XI. JOSEPH MCCRAY,

DEFENDANT.

INDICTMENT NUMBER 5847/2015  
Docket Number 2015KN048582

NON-ALIGNED  
FRAUDS BUREAU  
INVESTIGATIONS DIVISION

COUNTS:

GRAND LARCENY IN THE SECOND DEGREE

[2 COUNTS]

CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN  
THE SECOND DEGREE

[1 COUNT]

FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE

[1 COUNT]

OFFERING A FALSE INSTRUMENT FOR FILING IN THE  
FIRST DEGREE

[1 COUNT]

CRIMINAL TERM AGREEMENT  
SUPREME COURT KINGS

2015 AUG -7 PM 4:12

A TRUE BILL

Accepted for Value  
This Property Is Exempt From Levy  
Please adjust this account for the Proceeds,  
Products, Accounts, and Fixtures, and  
Release the ORDER(S) of the Court  
To Me Immediately

FOREPERSON

KENNETH P. THOMPSON  
DISTRICT ATTORNEY

At all times relevant to this indictment, unless otherwise indicated:

### INTRODUCTION

The defendant JOSEPH MCCRAY filed a false court order with the New York City Department of Finance's Office of Register that named defendant as the sole owner of a property in Brooklyn, New York and thus transferred title of the property from the true owner to the defendant. Defendant then sold the property to a third party.

The court order represented the transfer of title to the buyer of the property, along with other routine mortgage liens, deeds and other real property claims were filed with and were recorded by the Office of Register.

The property, located at 119 MacDonough Street, Brooklyn, New York, was a four-family home purchased by Victim # 1, an individual known to the grand jury, in 2000 and in 2006 Victim # 1 added Victim # 2, an individual known to the grand jury as co-owner.

Prior to the instant matter, in 2003, the defendant, a non-paying holdover renter at the property, filed a deed that falsely listed himself as the sole owner. A court subsequently ordered the Office of Register to supersede the defendant's deed and thereby restored Victim #1's ownership.

In 2009, defendant commenced civil litigation claiming ownership of this property. A court dismissed the defendant's action.

On January 6, 2015, the defendant filed a court order purportedly signed by Kings County Civil Supreme Court Justice Yvonne Lewis that stated that the defendant was the sole owner of the property, and that Victim #1 and Victim # 2 were not the owners of the property.

In March 2015, the defendant, who claimed to be the owner of the property, contracted to sell the property to a business entity, Victim # 3, a person known to the grand jury, for \$500,000. On May 21, 2015, at the purchaser's attorney's Brooklyn office, a closing occurred and the buyer, Victim # 3, gave the defendant a \$240,000 check toward the \$500,000 sale price.

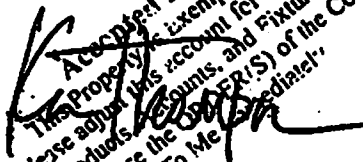
On July 27, 2015, the defendant returned to the attorney's office to collect an additional

public benefit corporation of the state, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in and otherwise become part of the records of such public office and public servant, public authority and public benefit corporation, namely, a false court order purportedly signed by Justice Yvonne Lewis granting the defendant full and total ownership rights for the property known as 119 MacDonough Street in Brooklyn, New York filed with the New York City Department of Finance's Office of Register.

### COUNT FIVE

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendant JOSEPH MCCRAY of the crime of FORGERY OF BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 170.50, committed as follows:

The defendant, on or about January 2, 2015, in the County of Kings, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made and caused a false entry in the business records of an enterprise, namely, a false court order purportedly signed by Justice Yvonne Lewis granting the defendant full and total ownership rights for the property known as 119 MacDonough Street in Brooklyn, New York, filed with the New York City Department of Finance's Office of Register.

  
KENNETH P. THOMPSON  
DISTRICT ATTORNEY



CRIMINAL COURT OF THE CITY OF NEW YORK  
PART APAR COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

STATE OF NEW YORK  
COUNTY OF KINGS

v

JOSEPH MCCRAY

TERESA RUSSO SHIELD NO 934 OF THE BUREAU OF CRIMINAL INVESTIGATION OF THE OFFICE OF THE NEW YORK CITY SHERIFF, SAYS THAT ON OR ABOUT (1) JANUARY 6, 2015 AT APPROXIMATELY 01:21 PM AT 210 JERALEMON STREET, COUNTY OF KINGS, STATE OF NEW

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 170.10(3)	FORGERY IN THE SECOND DEGREE (DOO)
PL 170.25	CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE (DOO)
PL 175.10	FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (DOO)
PL 175.35(1)	OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
PL 175.05(1)	FALSIFYING BUSINESS RECORDS IN THE SECOND DEGREE

AND THAT, ON OR ABOUT (2) MAY 21, 2015 AT APPROXIMATELY 12:00 PM AT 674 EAST 3RD STREET COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 155.40(1)	GRAND LARCENY IN THE SECOND DEGREE (DOO)
PL 110/155.40(1)	ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE (DOO)

AND THAT, ON OR ABOUT (3) JULY 27, 2015 AT APPROXIMATELY 11:52 AM AT 674 EAST 3RD ST COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 110/155.35(1)	ATTEMPTED GRAND LARCENY IN THE THIRD DEGREE (DOO)
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IN THAT THE DEFENDANT DID:

WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MAKE, COMPLETE OR ALTER A WRITTEN INSTRUMENT WHICH WAS OR PURPORTED TO BE, OR WHICH WAS CALCULATED TO RECOUNT OR TO REPRESENT IF COMPLETED A WRITTEN INSTRUMENT OFFICIALLY ISSUED OR CREATED BY A PUBLIC OFFICE, PUBLIC SERVANT OR GOVERNMENTAL INSTRUMENTALITY; WITH KNOWLEDGE THAT WAS FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, UTTER OR POSSESS A FORGED INSTRUMENT OF A KIND SPECIFIED IN PENAL LAW SECTION 170.10; WITH INTENT TO DEFRAUD, MAKE OR CAUSE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE; COMMIT THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE SECOND DEGREE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME OR TO AID OR CONCEAL THE COMMISSION THEREOF; KNOWING THAT A WRITTEN INSTRUMENT CONTAINS A FALSE STATEMENT OR FALSE INFORMATION, AND WITH INTENT TO DEFRAUD THE STATE OR ANY POLITICAL SUBDIVISION, PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION OF THE STATE, OFFER OR PRESENT IT TO A PUBLIC OFFICE, PUBLIC SERVANT, PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION WITH THE KNOWLEDGE OR BELIEF THAT IT WILL BE FILED WITH, REGISTERED OR RECORDED IN OR OTHERWISE BECOME A PART OF THE RECORDS OF SUCH PUBLIC OFFICE, PUBLIC SERVANT, PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION; STEAL PROPERTY THE VALUE OF WHICH EXCEEDED FIFTY THOUSAND DOLLARS; ATTEMPT TO STEAL PROPERTY THE VALUE OF WHICH EXCEEDED FIFTY THOUSAND DOLLARS; ATTEMPT TO STEAL PROPERTY AND THE VALUE OF THE PROPERTY EXCEEDS THREE THOUSAND DOLLARS;.

THE SOURCE OF DEPCNENT'S INFORMATION AND THE GROUNDS FOR DEPCNENT'S BELIEF ARE AS FOLLOWS:

DEPCNENT STATES THAT I AM AN INVESTIGATOR WITH THE NEW YORK CITY SHERIFF'S OFFICE, WHICH OPERATES AS PART OF THE NEW YORK CITY DEPARTMENT OF FINANCE. THAT DEPARTMENT ALSO OPERATES THE OFFICE OF THE NEW YORK CITY REGISTER, WHICH IS THE